

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IRON WORKERS' MID-AMERICA	)	
PENSION PLAN, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL ACTION
	)	
vs.	)	NO. 22 C 5536
	)	
SUMMIT ARCHITECTURAL METALS,	)	JUDGE JOHN R. BLAKEY
LLC, an Illinois limited liability company,	)	
	)	
VINCENT CAMPBELL,	)	
an individual,	)	
	)	
Defendants.	)	

**REVISED MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendants on November 28, 2022 [Dkt. 14], request this Court enter judgment against Defendant, SUMMIT ARCHITECTURAL METALS, LLC, an Illinois limited liability company ("Summit"), pursuant to F.R.Civ. P. Rule 55(b). In support of this Motion, Plaintiffs state:

1. On November 28, 2022, this Court entered default against Summit (ECF No. 14).
2. On May 17, 2023, Plaintiffs filed their original motion for entry of judgment against Summit (ECF No. 31). The Court took Plaintiffs' motion under advisement pending receipt of a revised proposed judgment order (ECF No. 34), which was submitted via email to the Court's proposed order email box on June 5, 2023.
3. As of the date Plaintiffs' original motion for entry of judgment was filed, Defendant Corporation had submitted its monthly fringe benefit contribution reports for the time periods June 2021, July 2021, and September 2021 through January 2022. These reports indicated that Defendant

corporation was delinquent in contributions, liquidated damages, and interest to the Funds in the amounts set forth below:

<u>Fund</u>	<u>Contributions</u>	<u>Liquidated Damages</u>	<u>Interest</u>
Mid-America Pension	\$12,456.66	\$4,747.59	\$2,175.81
Supplemental Monthly Annuity	\$13,654.04	\$3,778.95	\$1,731.72
Local 444 Apprentice Training	\$ 899.00		
WGIAT	\$ 161.82		

(See Affidavit of Paul E. Flasch).

4. Additionally, Defendant untimely paid its fringe benefit contributions due for the months of September 2021 through November 2021, and accordingly, incurred liquidated damages and interest in the following amounts:

<u>Fund</u>	<u>Liquidated Damages</u>	<u>Interest</u>
Mid-America Pension	\$240.50	\$110.24
Supplemental Monthly Annuity	\$ 53.36	\$ 24.26

(Flasch Aff. Par. 3(d)).

5. In lieu of submission of monthly fringe benefit contribution reports for the payroll period December 1, 2021 through April 1, 2023, Defendant submitted payroll records indicating hours worked by five of its employees, and accordingly, the Funds calculated the following amounts due for contributions, liquidated damages, and interest:

<u>Fund</u>	<u>Contributions</u>	<u>Liquidated Damages</u>	<u>Interest</u>
Mid-America Pension	\$4,826.00	\$1,085.85	\$497.68
Supplemental Monthly Annuity	\$1,016.00	\$ 228.60	\$104.78

6. Plaintiffs' firm has expended a total of \$1,268.30 for costs and \$8,183.20 for attorneys' fees in efforts to recover these delinquencies from Summit. (See Affidavit of Catherine M. Chapman).

7. In tandem with pursuing judgment against Summit, Plaintiffs entered into a settlement agreement with the individual Defendant, Vincent Campbell, through which he agreed to pay the Funds a total of \$30,000.00, which would reduce the amounts claimed due from Summit.

8. Campbell paid the agreed amount of \$30,000, with the final payment received on or about October 9, 2023, and therefore fully satisfied the terms of the settlement agreement. Accordingly, Plaintiffs stipulate that their claims against Campbell in this action should be dismissed, with prejudice.

9. Further, the amounts claimed due from Summit, as set forth above, should be reduced by the \$30,000.00 paid by Campbell.

10. Based upon the documents attached hereto, Plaintiffs request entry of judgment against Defendant, Summit Architectural Metals, LLC, in the amount of \$17,255.87 for outstanding contributions, liquidated damages, and interest, plus their court costs and attorneys' fees in the total amount of \$9,451.50.

WHEREFORE, Plaintiffs respectfully request this Court enter an order dismissing Plaintiffs' claims against Vincent Campbell, with prejudice, and entering judgment against Summit Architectural Metals, LLC, in the total amount of \$26,707.37.

/s/ Patrick N. Ryan

Patrick N. Ryan  
Attorney for the Plaintiffs  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 West Adams Street, Suite 1825  
Chicago, IL 60606-5250  
Bar No.: 6278364  
Telephone: (312) 216-2573  
E-Mail: [pryan@baumsigman.com](mailto:pryan@baumsigman.com)

I:\MIDJ\Summit Architectural\2022\revised motion for entry of judgment.pnr.df.wpd

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that he electronically filed the foregoing document (Revised Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that he mailed and e-mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 25th day of October 2023:

Vincent Campbell, Registered Agent  
Summit Architectural Metals, LLC  
2542 N. Drake  
Chicago, IL 60647-1208  
[joe@summit-architectural-metals.com](mailto:joe@summit-architectural-metals.com)

/s/ Patrick N. Ryan \_\_\_\_\_

Patrick N. Ryan  
Attorney for the Plaintiffs  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 West Adams Street, Suite 1825  
Chicago, IL 60606-5250  
Bar No.: 6278364  
Telephone: (312) 216-2573  
Facsimile: (312) 236-0241  
E-Mail: [pryan@baumsigman.com](mailto:pryan@baumsigman.com)

I:\MIDJ\Summit Architectural\2022\revised motion for entry of judgment.pnr.df.wpd